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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL MORTON,

Plaintiff,

vs.

ROCKY MOUNTAIN HOSPITAL AND
MEDICAL SERVICES, INC. d/b/a ANTHEM
BLUE CROSS AND BLUE SHIELD

Defendants.

Case No.: 2:23-cv-01320-GMN-DJA

**STIPULATION AND ORDER
EXTENDING THE TIME FOR THE
PARTIES TO FILE MOTIONS OR
STIPULATION REGARDING
STANDARD OF REVIEW**

[Second Request]

Plaintiff and Defendant, by and through their counsel, state the following:

1. This Court entered the Parties' Discovery Plan and Scheduling Order, as amended by the Court (the "Order"), on August 19, 2024. *See* ECF No. 31.
2. The Order requires, among other things, that any motion to determine the standard of review shall be filed by October 10, 2024, or the parties may submit a stipulation to the Court if they agree on the applicable standard of review. *See id.* ¶ 2. This deadline was extended to October 24, 2024. *See* ECF No. 36.
3. Counsel for the Parties have met and conferred and have not stipulated as to the applicable standard of review in this matter. Counsel for the Parties respectfully request an eleven-day (11) extension of the time permitted under the Order to file any motion or stipulation

1 regarding the applicable standard of review, from October 24, 2024 to Monday, November 4,
2 2024.

3 4. This is the second stipulation for an extension of time to file the motion or
4 stipulation regarding the applicable standard of review.

5 5. This Stipulation is being filed in good faith and not for the purposes of delay, nor
6 is it prejudicial to either Party. Counsel for Plaintiff has recently been involved in a business
7 litigation Temporary Restraining Order matter and has also been involved in assisting a move for
8 one of his children.
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10 **IT IS SO AGREED AND STIPULATED:**

11 **WHITMIRE LAW, PLLC**

12 /s/ James E. Whitmire

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19 *Attorney for Plaintiffs*

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Attorney for Defendant

20 **IT IS SO ORDERED.**

21 DATED: 10/22/2024



22 DANIEL J. ALBREGTS

23 UNITED STATES MAGISTRATE JUDGE
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